



PLANNING DIRECTOR'S HEARING AGENDA

WEDNESDAY, September 13, 2006

9:00 a.m.
City Council Chambers
City Hall

200 East Santa Clara Street
San Jose, California 95113-1905

Hearing Officers

Susan Walton, Principal Planner

Mike Enderby, Acting Principal Planner

**Joseph Horwedel, Acting Director
Planning, Building, and Code Enforcement**

NOTE

To arrange an accommodation under the Americans with Disabilities Act to participate in this public meeting, we ask that you call (408) 535-7800 (VOICE), 294-9337 (TTY) at least two days, (48 hours) before the meeting. If you requested such an accommodation and have not already identified yourself to the technician seated at the staff table, please do so now. If you did not call in advance and do now need assistance, please see the technician.

NOTICE TO THE PUBLIC

Good morning, this is the Planning Director's Hearing of **September 13, 2006**. My name is _____ and I am the Hearing Officer for today's agenda. On behalf of the Planning Director, I would like to welcome you to this Public Hearing. Please remember to turn off all cell phones and pagers. A copy of the agenda is available on the table by the door for your convenience. A validation machine is available up the stairs at the rear of these chambers for parking tickets for the garage underneath City Hall.

The procedure for this hearing is as follows:

- Hearing Officer will identify the project as described on the agenda
- Staff report
- After the staff report, applicant and/or representative will have up to 5 minutes to speak and should make themselves known as their item comes up by approaching the microphone and identifying themselves and stating their home address, or just wave from the audience if you do not wish to speak
- Public testimony of up to 2 minutes, either for or against the project. Please state name and home address for the record
- After the public testimony, the applicant may make closing remarks of up to 5 minutes
- The Hearing Officer may ask questions of the speaker
- The public hearing will then be closed and the Hearing Officer will take action on the item. The Hearing Officer may request staff to respond to the public testimony, ask staff questions, and discuss the item

If you challenge these land use decisions in court, you may be limited to raising only those issues you or someone else raised at this public hearing or in written correspondence delivered to the City at, or prior to, the public hearing.

The Planning Director's action on these agenda items is final when the permit is signed and mailed, unless the permit is appealed. The Planning Director's actions are appealable in accordance with the requirements of Title 20 of the Municipal Zoning Code.

Note: If you have any agenda changes, please contact Gina Robles (gina.robles@sanjoseca.gov).

AGENDA

ORDER OF BUSINESS

1. DEFERRALS

Any item scheduled for hearing this morning for which deferral is being requested will be taken out of order, to be heard first on the matter of deferral. A list of staff recommended deferrals is available on the table. I will identify the items to be deferred and then ask for comments from the audience. If you want to change any of the deferral dates recommended or speak to the question of deferring these or any other items, you should say so at this time. I will now open the public hearing. The following items are proposed to be deferred.

The matter of deferrals is now closed.

2. CONSENT CALENDAR

NOTICE TO THE PUBLIC

The consent calendar items are considered to be routine and will be adopted by one motion. There will be no separate discussion of these items unless a request is made by the Director of Planning, staff, or the public to have an item removed from the consent calendar and considered separately. If anyone in the audience wishes to speak on one of these items, please come to the podium at this time.

- a. **H05-052. Site Development Permit** to demolish all existing structures and construct approximately 21,504 square foot building for warehouse and office uses on an approximately 1.08 gross acre site in the HI Heavy Industrial Zoning District, located on the north side of Service Street, 160 feet easterly of Old Oakland Road (855 SERVICE ST) (Massih Nasser Trustee, Owner). Council District 4. SNI: None. CEQA: Exempt.
- b. **TR06-073. Tree Removal Permit** Request for one Monterey Pine Tree, 67 inches in circumference, on a 0.13 gross acre site in the R-1-8(PD) Planned Development Zoning District, located at 120 PLYMPTON COURT (Rodrigues Michael D And Pamela C, Owner). Council District 2. CEQA: Exempt.
- c. **SP06-067. Special Use Permit** to allow construction of a retaining wall up to approximately 5 feet in height on a 0.26 gross acre site in the R-1-5 Single-Family Residence Zoning District, located at/on the east side of Ruby Avenue approximately 250 feet north of Boeger Lane (2226 Ruby Avenue) (Helia Carvalho, Owner). Council District 8. SNI: None. CEQA: Exempt.
- d. **PDA04-077-02. Planned Development Permit Amendment** to construct a building on Pad 3 containing 7,552 square feet for commercial uses on a 0.5 gross acre site in the A(PD) Planned Development Zoning District, located on the west side of Coleman Street, approximately 250 feet southerly of Seymour Street (625 Coleman Avenue) (Cousins San Jose Market Center Llc, Owner; Garden Fresh, Applicant). Council District 3. SNI: None. CEQA: San Jose Market Center Project Final EIR.

- e. **SP06-039. Special Use Permit** for a second story addition containing 705 square feet to a legal nonconforming single-family detached residence on a 0.13 gross acre site in the CN Commercial Neighborhood Zoning District, located on the west side of 13th Street, approximately 60 feet southerly of Julian Street (285 N 13th Street) (Martinez Marissa And Heriberto C, Owner). Council District 3. SNI: 13th Street. CEQA: Exempt.
- f. **PDA77-034-02. Planned Development Permit Amendment** to allow the construction of an 159 square foot addition at the rear of the ground floor level and a 674 square foot rear addition at the second level of an existing single family detached residence (proposed Floor Area Ratio 0.59) on a 0.09 gross acre site in the R-M(PD) Planned Development Zoning District, located on the southwest corner of Willowhaven Drive and Willowhaven Court (1502 Willowhaven Court) (Chau Thanh Thi, Owner). Council District 6. SNI: None. CEQA: Exempt.

The consent calendar is now closed.

3. PUBLIC HEARING

- a. **TR06-098. Tree Removal Permit** to remove one Monterey Pine, approximately tree 67 inches in circumference, on a 0.13 gross acre site in the R-1-8 Single-Family Residence Zoning District, located on the south side of Fuller Avenue, approximately 100 feet east of Bird Avenue (574 Fuller Avenue) (Longinetti Robert L Trustee, Owner). Council District 6. CEQA: Exempt. **Deferred from 8/23/06.**
- b. **H06-034. Site Development Permit** to allow demolition of an existing building and construction of a new 4,863 square-foot, single-story retail building on a 0.36 gross acre site in the CN Neighborhood Commercial Zoning District, located at/on the southwest corner of McKee Road and Vista Avenue (3490 MCKEE RD) (Ho Henry And Be Thi, Owner). Council District 5. SNI: None. CEQA: Exempt.
- c. **TR06-126. Tree Removal Permit** for one Coast Live Oak tree, approximately 60 inches in circumference, located in the backyard of an existing single family residence on a 0.29 gross acre site in the R-1-5(PD) Planned Development Zoning District, located at 6036 Crossbrook Court (David L And J J Johanson, Owners). Council District 10. CEQA: Exempt.
- d. **H06-033. Site Development Permit** for a 905 square foot second-story addition to an existing duplex on a 0.15 gross acre site in the R-2 Two-Family Residence Zoning District, located on the west side of N. 16th Street approximately 250 feet south of E. Mission Street (775 N 16TH ST) (Joann M Stone, Karen Stone, Owners). Council District 3. SNI: None. CEQA: Exempt.
- e. **TR06-134. Tree Removal Permit** for two Tree of Heaven trees, 95 and 97 inches in circumference, on a 0.15 gross acre site in the R-1-8 Single-Family Residence Zoning District, located at 170 South Morrison Avenue (170 S MORRISON AVE) (Salmon Jennifer L, Owner). Council District 6. CEQA: Exempt.
- f. **PD06-045. Planned Development Permit** to allow the the addition of an approximately 23,772 square foot mezzanine/ equipment platform to an existing industrial park building in the IP(PD) Planned Development Zoning District, located in the area generally bounded by Cottle Road, Monterey Highway, Highway 85 and

Manassas Rd (5600 COTTLE RD) (Hitachi Global Storage Techs Inc, Owner).
Council District 2. SNI: None. CEQA: Addendum to EIR.

- g. **T06-027. Tentative Map Permit** to subdivide one parcel into 7 lots for industrial park uses on a 24.3 gross acre site in the IP Industrial Park Zoning District, located on the northeast corner of First Street and Plumeria Drive (2835 ZANKER RD) (Wxiii/Scv Real Estate Lp, Owner). Council District 4. SNI: None. CEQA: Rincon de Los Esteros Redevelopment Plan EIR Resolution No. 60197.
- h. **TR06-116. Tree Removal Permit** request to allow removal of one Sycamore tree, approximately 140 inches in circumference on a 0.13 gross acre site in the R-1-8 Single-Family Residence Zoning District, located at 1675 Collingwood Avenue (Gross Bernita M Trustee & Et Al, Owner). Council District 6. CEQA: Exempt.
- i. **TR06-114. Tree Removal Permit** to allow the removal of an Ash tree approximately 109 inches in circumference from an existing single family residential property in the R-1-8 Single-Family Residence Zoning District, located at 6116 Banner Court (6116 BANNER CT) (Sally Judy A Trustee, Owner). Council District 2. CEQA: Exempt.
- j. **T05-114. Tentative Map Permit** to consolidate 9 parcels into 5 lots for commercial uses on a 6.0 gross acres site in the CN Commercial Neighborhood Zoning District, located at/on the east side of Monterey Road between Tully Road (at Curtner Avenue) and Tully Road (near Healy Avenue) (2300 Monterey Rd) (Canned Foods Inc, Peter Read, Owner). Council District 7. SNI: None. CEQA: Exempt.

This concludes the Planning Director's Hearing for September 13, 2006. Thank you.

PLANNING DIRECTOR'S AGENDA ON THE WEB:
<http://www.sanjoseca.gov/planning/hearings/default.asp>
PUBLIC INFORMATION COUNTER
(408) 535-7800 CITY OF SAN JOSE